

September 19, 2016

TO: Mauro Morales, Staff Director

Through: David Mussatt, RPCU Chief

From: Ivy L. Davis, Director Eastern Regional Office

RE: Project Approval Request – Solitary Confinement Briefing
Connecticut Advisory Committee

Attached for your review and approval is the Connecticut Advisory Committee project proposal for a briefing on solitary confinement in Connecticut. The State Advisory Committee (SAC) approved this project on September 14, 2016.

NARRATIVE

Background

In common parlance, “restrictive housing” is most often referred to as “solitary confinement.” In Connecticut, prisoners in restrictive housing are typically isolated for 23 hours a day, left in a small room (sizes vary but six feet by eight feet is standard in most prisons) with little or no external stimuli.¹

In Connecticut, one fifteen minute phone call is allowed per week, and one hour of recreational time (often spent shackled) is allotted per day. Food is delivered through a slot in the door, so as to minimize the interaction between prisoner and guard. The general principle of restrictive housing is designed to break problematic inmates by the use of isolation.

Research and anecdotes show that long term solitary confinement increases rates of self-harm and suicide among inmates.² Many prisoners develop mental health issues while in restrictive housing. The effects of sensory deprivation on the human psyche are well documented, and solitary is no different.³ Hallucinations, both visual and auditory, as well as psychotic behavior, paranoia, hypersensitivity to stimuli, and diminished impulse control are all well documented side effects of extended stays in solitary confinement.

It is important to note as well the difference between punitive restrictive housing and non-punitive (more commonly referred to as “administrative segregation”) restrictive housing. While punitive is, as its name would suggest, a measure taken to punish an inmate for infraction of rules, administrative segregation is the term used to describe the isolation of an inmate for non-punitive purposes. This could be because the inmate is experiencing a psychological episode that poses an imminent threat to the safety of the inmate in question, to other inmates, and/or to

¹ <http://www.ct.gov/doc/LIB/doc/PDF/AD/ad0904.pdf>

² <http://www.jaapl.org/content/38/1/104.full>

³ See e.g., <https://www.prisonlegalnews.org/news/2016/jan/7/segregation-rate-and-segregated-prisoner-suicide-rate-high-texas/>

facility staff. Occasionally individuals deemed to be particularly “at risk” (would suffer abuse in the general prison population) are put in administrative segregation. The thing to keep in mind about administrative segregation is that it can have the same psychological effects on the inmate as punitive restrictive housing.

Due to the growing awareness of the harms of segregated housing, its use is being reviewed and monitored in several states. For example, Colorado, Nevada, and Maryland have passed legislation requiring detailed reporting of the use of segregated housing. In Colorado, a bill was passed to completely eliminate punitive segregated housing for youth.⁴ Similar bills have cropped up in Illinois, Massachusetts, and New York. And in Texas, there is a study underway to evaluate the current status of Texan segregated housing conditions.⁵

Although Connecticut has in recent years cut back on the use extended solitary confinement, much of that improvement has stemmed from administrative directives. It would be useful for the SAC to have a briefing to learn more about solitary confinement, its use in Connecticut and who is subjected to the practice. The need to implement statutory safeguards against abuses of segregated housing is especially pressing in light of the recent publication of *Solitary Confinement of Youth in New York: A Civil Rights Violation*, in which the New York SAC found the living conditions of youth in New York segregated housing units to be unacceptable, with children being denied access to prescribed medication, driven to depression and self-harm, and in some cases suicide.

The Committee proposes to examine the extent of the use of solitary confinement in Connecticut and, in particular, the disproportionate assignment of racial minorities to solitary confinement in Connecticut’s correctional facilities.

Methodology

The SAC will invite experts, with different points of view, to make formal presentations to the SAC and respond to questions from the Committee members. The proceedings will be transcribed. At the conclusion of the formal presentations, members of the public will be invited to make brief statements on the topic to the Committee members. The record will be open for an additional thirty days so that interested persons may submit written statements for the record.

The SAC will also schedule tours of Connecticut prisons.

Balance

To ensure balance, the Committee will vote to invite experts representing a broad cross-section of views, including government officials, advocacy group representatives and other subject matter experts.

⁴ Colorado also made changes segregation for adults. In 2014, the Department of Corrections began reclassifying hundreds of prisoners from solitary confinement into the general population. The bar is raised for putting prisoners into isolation, and new procedures for re-entry and mental health care are developed. On March 19, after a unanimous vote in the General Assembly, the state closes State Penitentiary II, a facility of entirely single-inmate solitary confinement cells.

⁵ <https://legiscan.com/TX/text/SB1003/id/770127>

Potential Panels

The SAC would convene a briefing on the use of punitive restrictive housing. This briefing would include three panels of four to five members, each panel with its own focus. Potential panels include:

Panel One: The Psychological Effects of Restrictive housing

Panelists may include but are not limited to:

- A psychologist with experience in researching the effects of isolation on the human psyche
- A psychologist or therapist with experience in counseling those who were subjected to restrictive housing or other forms of prolonged isolation
- A mental health care professional with extensive knowledge of psychiatric disorders including, but not limited to, schizophrenia and bi-polar disorder
- A member of a not-for-profit prisoner reform advocacy group with ties to Connecticut

Panel Two: The Condition of Youth in Restrictive Housing

Panelists may include but are not limited to:

- An official from the Connecticut Department of Correction with some connection to the use of restrictive housing in Connecticut
- A child psychologist with experience is studying the effects of isolation on children
- A representative from a not-for-profit child advocacy group

Panel Three: Testimony of those Affected by Restrictive Housing

Panelists may include but are not limited to:

- An individual who spent significant time in a Connecticut restrictive housing unit
- Friends or relatives of inmates currently or formerly held in a Connecticut restrictive housing unit

At the conclusion of the three panels, there will be a public session to allow interested members of the public in the audience to speak on the issue.

Report

The project proceedings, including statements submitted for the record, as well as studies and reports by third parties, will be summarized in a SAC report. The report will include a background of the issues, a summary of the experts' presentations and the observations and conclusions of the CT SAC. Upon approval by the Committee, the draft report will be submitted to the headquarters review and, if required, to an affected agency review. The final report will incorporate the results of those reviews. The Committee will vote to submit the final report to the staff director for publication.

Time Frame

The CT Advisory Committee proposes to do the following tasks to complete its report on this issue:

Hold the briefing meeting in January/February in Hartford,
Submit a draft report to the CT Advisory Committee by July 2017,
Obtain SAC approval of the draft report by August 2016, and
Submit the final report to the staff director by September, requesting publication of the report.

Budget

Costs are estimated to be \$2,900, including court reporting services (\$1,500.00) and staff travel (\$1,400). The actual expenses may be less or more than projected.

This project proposal is:



Approved



Disapproved



Returned for revisions according to comments.

Mauro Morales, Staff Director

Date